

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 \* \* \*

4 UNITED STATES OF AMERICA,

Case No. 2:13-cr-00124-APG-PAL

5 Plaintiff,

6 v.

**ORDER**

7 REUBEN CONWAY,

(ECF No. 102)

8 Defendant.  
9

10 On June 8, 2017, defendant Reuben Conway filed a notice of assertion of right regarding  
11 shackling. ECF No. 101. The notice relates to the issuance of the *en banc* decision in *United*  
12 *States v. Sanchez-Gomez*, 859 F.3d 649 (9th Cir. 2017). On June 13, 2017, the Government  
13 moved to strike Conway's notice, arguing that it mischaracterizes the Ninth Circuit's decision.  
14 ECF No. 102. The defendant filed a response. ECF No. 105. These filings are not tethered to any  
15 particular hearing, shackling request, or shackling determination. There is no live justiciable  
16 dispute before the Court.

17 IT IS THEREFORE ORDERED that the motion to strike **(ECF No. 102) is DENIED**  
18 without prejudice to the parties addressing the issues at an appropriate time if necessary.

19 DATED this 11th day of August, 2017.

20 

21 ANDREW P. GORDON  
22 UNITED STATES DISTRICT JUDGE  
23  
24  
25  
26  
27  
28